

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING INSURANCE AND RETIREMENT PLANS TO CONSIDER GENDER OR AGE WHEN ISSUING OR PROVIDING COVERAGE; DECLARING USE OF ACTUARIAL TABLES AN OBJECTIVE APPROACH TO SETTING PREMIUMS OR POLICIES; AND AMENDING SECTION 49-2-309, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Objectivity in setting rates. A financial institution or person that uses generally approved industry actuarial standards in setting insurance premiums or policies for retirement plans is not discriminating on the basis of gender or age.

Section 2. Section 49-2-309, MCA, is amended to read:

"49-2-309. Discrimination in insurance and retirement plans. (1) It is an unlawful discriminatory practice for a financial institution or person to discriminate solely on the basis of ~~sex or~~ marital status in the issuance or operation of any type of insurance policy, plan, or coverage or in any pension or retirement plan, program, or coverage, including discrimination in regard to rates or premiums and payments or benefits.

(2) This section does not apply to any insurance policy, plan, or coverage or to any pension or retirement plan, program, or coverage in effect prior to October 1, 1985.

(3) It is not a violation of the prohibition against marital status discrimination in this section for an employer to provide greater or additional contributions to a bona fide group insurance plan for employees with dependents than to those employees without dependents or with fewer dependents."

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 33, chapter 16, part 2, and the provisions of Title 33, chapter 16, part 2, apply to [section 1].

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